

183-1-6-.03 Rules and Regulations for Voter Registration Conducted by Registrars and Deputy Registrars.

(1) Intent and Purpose.

(a) These rules are promulgated pursuant to the authority granted the State Election Board by Georgia Laws 1984, p. 1430, (O.C.G.A. Section 21-2-215(f)) and by Georgia Laws 1968, p. 862, (O.C.G.A. Section 21-2-31). It is the intent of the State Election Board to increase the level of participation in the elective process in the State of Georgia by encouraging the registration of voters within the State. It is the intent and purpose of the State Election Board, within the parameters of the law, to make voter registration in Georgia as convenient and as easy as practicable while retaining the necessary controls to prevent abuse of the system and fraud in the elective process. To this end, the State Election Board has promulgated these rules and regulations.

(b) Nothing in this rule shall be construed to prohibit any voter registration activity that is permitted pursuant to the National Voter Registration Act of 1993, 42 U.S.C. §§ 1973gg *et seq.*, or any other federal or state law or regulation.

(c) Rules and regulations governing voter registration by private entities are provided in a separately numbered rule within this Chapter.

(2) Criteria for Appointment of Deputy Registrars. The board of registrars in each county may appoint deputy registrars to aid them in the discharge of their duties. The number of deputy registrars appointed to serve shall be determined by the board of registrars.

(a) Deputy registrars appointed by each county board of registrars shall meet the following qualifications:

1. Be a registered voter in the State of Georgia;
2. Be able to read, write and speak the English language;
3. Have legible handwriting unless the voter registration applications are to be completed by typewriter or electronic means;
4. Satisfactorily complete such training as shall be required by the board of registrars;
5. Not have been convicted of a felony or of any crime involving fraud or moral turpitude;
6. Not be a candidate for nomination or election to any office except as allowed by O.C.G.A. § 21-2-214; and
7. Not have been removed as a deputy registrar for improper conduct in the performance of the duties of deputy registrar.

(b) Deputy registrars shall not engage in political activity on behalf of a candidate, political party or body, or question while actually conducting the duties of their office. While conducting the duties of their office, each person serving as a deputy registrar shall wear a badge or display identification which shall state no more than the person's name and the fact that the person is a deputy registrar of the county. There shall be available for inspection, upon request to verify the authority of the persons involved, the names of the authorized deputy registrars serving at the site.

(c) The following activities shall subject a deputy registrar to immediate revocation of appointment as a deputy registrar:

1. Registering voters at unapproved sites, times, and hours, including door to door registration;

2. Intoxication while on duty;

3. Falsification of registration records;

4. Improper handling of registration applications;

5. Engaging in any communication, wearing badges, buttons, or clothing that advocates or criticizes a particular candidate, office holder, political party or body, or ballot question while on duty, such as making verbal statements and distributing campaign literature. However, deputy registrars shall identify themselves as deputy registrars of the county by wearing the badges or displaying the identification described in paragraph (b) above; and

6. Failure to appear or remain at the deputy registrar's assigned site at or during the assigned hours without adequate notice to the board of registrars or without a proper replacement.

(3) Criteria for Establishment of Additional Voter Registration Places:

(a) The Board of Registrars, in addition to its main office, may designate other fixed places throughout the county as would be reasonably necessary to receive applications for registration and for the registration of electors.

(b) Such additional registration places shall be located in facilities which are open to and frequented by the general public. No place shall be used as an additional registration place unless the general public is freely admitted without regard to race, color, creed, religion, gender, or national origin.

(c) Churches which are open to all persons and which are, in fact, attended for any purpose by persons who are not members of the church shall be considered to be open to and frequented by the general public.

(d) The offices or facilities of community, civic, service, social, civil rights, patriotic, fraternal, and labor organizations shall be considered to be open to and frequented by the general public if non members of the organization in fact attend various activities sponsored by the organization at its offices and facilities and such offices or facilities are open to all persons. However, offices or facilities of political parties, political bodies or candidates shall not be used as additional voter registration places.

(e) The fact that a facility is used primarily or exclusively by the general public of one race or ethnic group or socioeconomic group shall not, for that reason alone, bar its designation as a registration place.

(f) When employers or business owners request the use of their place of business as a registration place, registration shall be conducted only in that part of the place of business which is open to the general public. Such part of the place of business shall be considered to be open to and frequented by the general public if it is an area which is maintained for use by the general public and is known to serve the general public for the purpose of conducting business or engaging in other transactions with the business.

(g) Organizations, employers, offices, and businesses that register voters at their facilities shall not limit registration to their members, employees, or customers, but must register any qualified applicant.

(h) Registration of voters shall be prohibited in places where alcoholic beverages are sold and consumed on the same premises.

(i) No registration of voters shall take place where criminal activities are permitted to occur.

(j) Registration places may be established on a temporary or permanent basis. Permanent places are those which operate on a fixed schedule for an indefinite period of time. Temporary places are those which operate on a temporary schedule and, among other things, may be used in voter registration drives.

1. The deputy registrars appointed by the board of registrars who staff registration places may be unpaid volunteers, employees of the board of registrars, or employees of government offices or of private businesses.

(k) Persons acting as individuals or as representatives of organizations and businesses may request the establishment of additional voter registration places. The board of registrars shall consider such requests.

1. If the request is approved, the board of registrars shall make provisions for having a deputy registrar who has been appointed by the board of registrars available at the additional voter registration places at all times which have been designated by the board of registrars and which have been precleared by the United States Department of Justice for the purpose of voter registration. The board of registrars shall inform such persons that registration may be conducted

only at such times as are designated by the board of registrars, precleared by the United States Department of Justice, and advertised as required by law.

(1) The board of registrars shall retain the ultimate responsibility for the submission of additional registration places, dates, and times to the United States Department of Justice for preclearance pursuant to the Voting Rights Act of 1965 and for the advertising of registration places as required by law. The board of registrars shall also retain the ultimate responsibility for the appointment and training of deputy registrars, the proper conduct of voter registration, and the security of completed registration applications; but the board of registrars may use deputy registrars to assist them in carrying out these duties.

(m) The board of registrars shall instruct deputy registrars in the law and procedure for registration prior to the administration of the oath of office to the deputy registrars. Such training shall include the duties and obligations of deputy registrars, the proper completion of registration applications, the proper security of registration applications, the protection of the integrity of the registration process, and the taking of oaths of registrants and the procedures for appeal upon rejection of the applications for registration.

(n) The Secretary of State shall provide the board of registrars of each county manuals for the use of deputy registrars which include simple instructions on the rules and procedures for the proper conduct of voter registration. The form and content of these manuals shall be determined by the Secretary of State. The board of registrars shall provide each deputy registrar with a copy of the manual.

(o) In order to ensure that the same degree of supervision and security provided at the main office of the board of registrars to prevent voter registration irregularities is maintained for the additional voter registration places, the following rules shall apply:

1. Except as provided in this rule, completed registration applications may be maintained by registrars and deputy registrars only:

(i) At the additional voter registration place during the hours of operation;

(ii) In transit to the main office of the board of registrars;

(iii) At the main office of the board of registrars;

(iv) At permanent additional voter registration places overnight but not beyond the end of the next business day; and

(v) At sites mandated as voter registration sites under *O. C. G.A. § 21-2-221* and *21-2-222* but not longer than the time permitted under those Code sections.

Notwithstanding any provision of this rule to the contrary, a valid registration application that is timely received by the Secretary of State or the registrars shall be accepted.

(p) The board of registrars should identify and establish additional voter registration places where the public congregates for commerce, recreation, worship, education, employment, and other such purposes which are most likely to facilitate registration and suit the convenience of the general public throughout the county. These places should be open at hours to suit the convenience of the general public including times other than the regular hours of the main office of the board of registrars.

(q) Wherever practicable, the Board of Registrars should fully utilize federal, state, county, and municipal offices located within the county which are open during regular business hours and other hours for the purpose of taking voter registration applications.

(r) All additional voter registration sites which are staffed by volunteer deputy registrars shall have prominently displayed a sign, placard, or banner which shall state that voter registration at that location is being conducted under the authority of the Board of Registrars of the county or, in counties in which the duties of the Board of Registrars are performed by Boards of Election, the county Board of Elections. If the volunteer deputy registrars are provided by an organization, club, or other group, the sign, placard, or banner may also identify the organization, club, or group providing the volunteer deputy registrars. The language contained on the sign, placard, or banner shall conform substantially to the following: 'Voter registration at this location is being conducted under the authority of the Board of (Registrars or Elections) of \_\_\_\_\_ County. The volunteer deputy registrars at this location are provided by \_\_\_\_\_.'

Authority O.C.G.A. Secs. 21-2-31, 21-2-218. History. Original Rule entitled "Rules and Regulations for Voter Registration" adopted. F. Jan. 22, 1985; eff. Feb. 11, 1985. Amended: F. Jan. 21, 1988; eff. Feb. 10, 1988; Amended: F. Apr. 10, 1989; eff. Apr. 30, 1989. Amended: F. Dec. 11, 2003; eff. Dec. 31, 2003. Amended: F. Dec. 28, 2005; eff. Jan. 17, 2006. Amended: F. May 30, 2006; eff. June 19, 2006.